

REMARKS

I. Claim Status

Claims 1-13 and 15-19 are pending and claims 1 and 6-8 are amended. Claims 1, 6, 9, and 15 are independent.

In the Office action dated July 7, 2006, the Examiner allowed claims 15-19 and objected to claims 1 and 6 for claiming subject matter not shown in the drawings. In addition, claims 1-13 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Pat. No. 3,724,726 to Susuki et al.

II. Specification/Claim Objections

Applicant amended paragraph [0027] of the specification to reflect the addition of reference numerals 126a, 126b, and 128a to Fig. 3. Applicant submits that no new matter is added.

Claims 1 and 6 are also amended to correct any perceived ambiguity.

III. Drawings

As noted above, in FIG. 3, reference numerals 126a, 126b, and 128a are added to identify claimed subject matter.

IV. Pending Claims

U.S. Patent No. 3,724,726 to Susuki et al.

Claims 1-13 stand rejected under 35 U.S.C. § 102(e) allegedly being anticipated by U.S. Pat. No. 3,724,726 to Susuki et al.

The undersigned submits that claim 1 is at least patentable over the cited references because it recites “an outer surface of the lip adapted to sealingly engage a portion of the reservoir.”

The undersigned also submits that claim 6 is at least patentable over the cited references because it recites “an outer surface of the lip adapted to sealingly engage to a portion of the reservoir.”

The undersigned also submits that claim 9 is at least patentable over the cited references because it recites “the housing cap having an outer surface in contact with the reservoir opening and an inner surface for engaging the pump, the outer surface defining a lip for engaging to the reservoir opening.”

Regarding claims 1, 6, and 9, the Office action rejects these claims as being anticipated by Susuki ‘726. Susuki ‘726 regards a pump which can be fixed to the opening of a liquid container. In FIG. 1, Susuki ‘726 shows a container 1, a cylinder 2 for housing a piston/plunger 8,9 assembly, and a housing cap 3. In contrast to the present invention, a housing cap having an outer surface defining a lip configured to engage a portion of the container is not disclosed. Rather, although, the housing cap 3 of Susuki ‘726 is substantially U-shaped and has inner and outer surfaces, the inner surface of the housing cap 3 of Susuki ‘726 is threadably attached to the container 1, its outer surface never contacts the container or sealably engages it as in the claims. Comparatively, in the present invention, the outer surface of the housing cap engages a portion of the reservoir to form a seal. Therefore, lacking any discussion and/or suggestion of a housing cap 3 having an outer surface defining a lip for engaging a portion of the reservoir, Susuki ‘726 fails to disclose or suggest all of the limitations of claims 1, 6, and 9.

For at least this reason, claims 1, 6, and 9 and their dependent claims are patentable over Susuki '726 and the references of record.

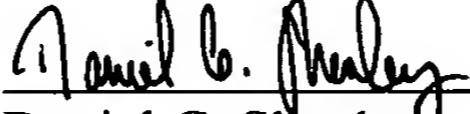
V. Conclusion

In view of the above amendments and remarks, it is believed that the above-identified application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

The Commissioner is authorized to charge any fees or credit any overpayments which may be incurred in connection with this paper under 37 C.F.R. §§ 1.16 or 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,

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Amendments to the Drawings:

The attached drawing sheets include changes to FIG. 3. This sheet, which includes FIGS. 2-4, respectively, replaces the original sheet. In FIG. 3, reference numerals 126a, 126b, and 128a are added.

Attachment: Replacement Sheet

Annotated Sheet Showing Changes



Appl. No. 10/648,387
Reply to Office action of July 7, 2006
Annotated Sheet Showing Changes

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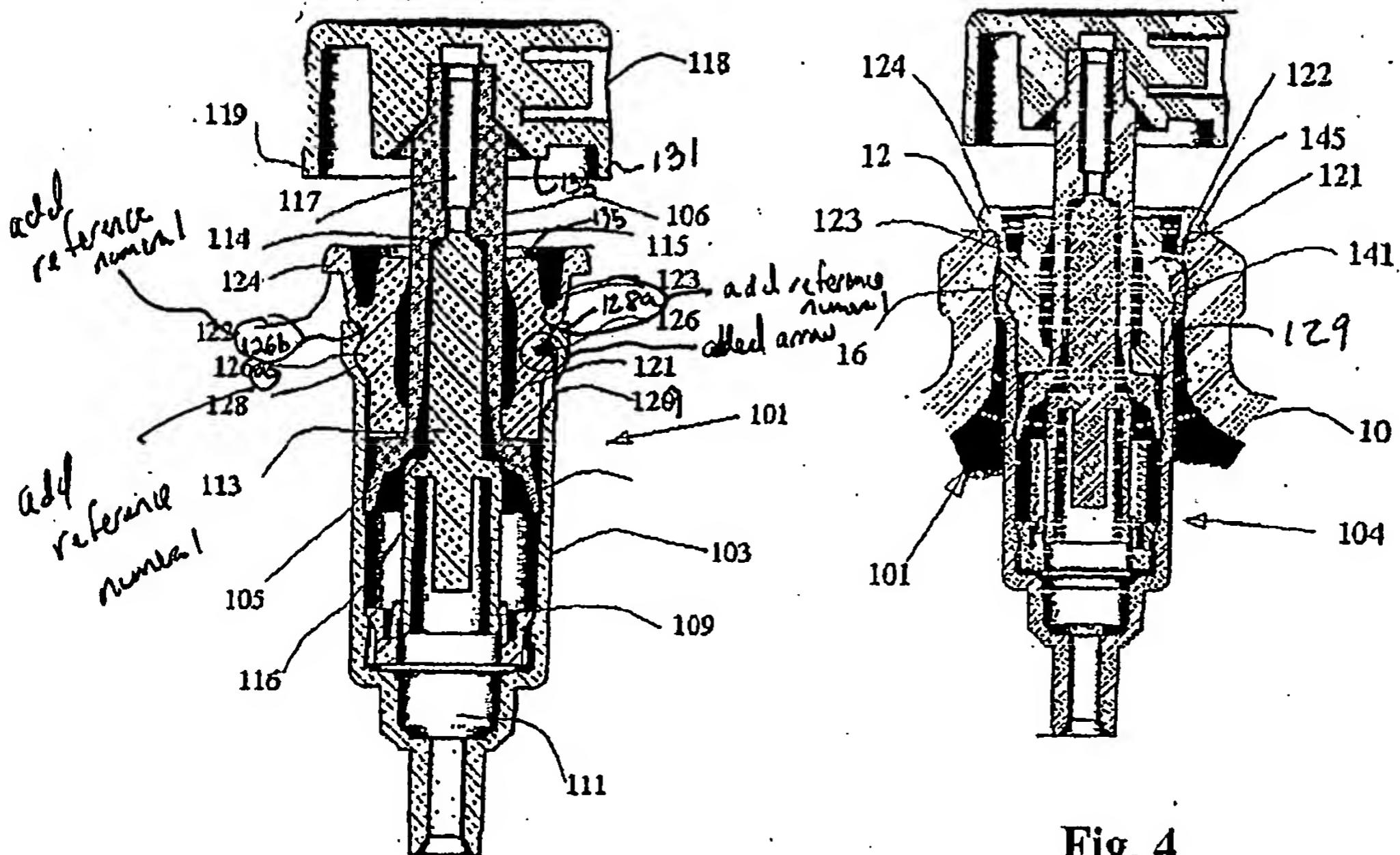


Fig. 3

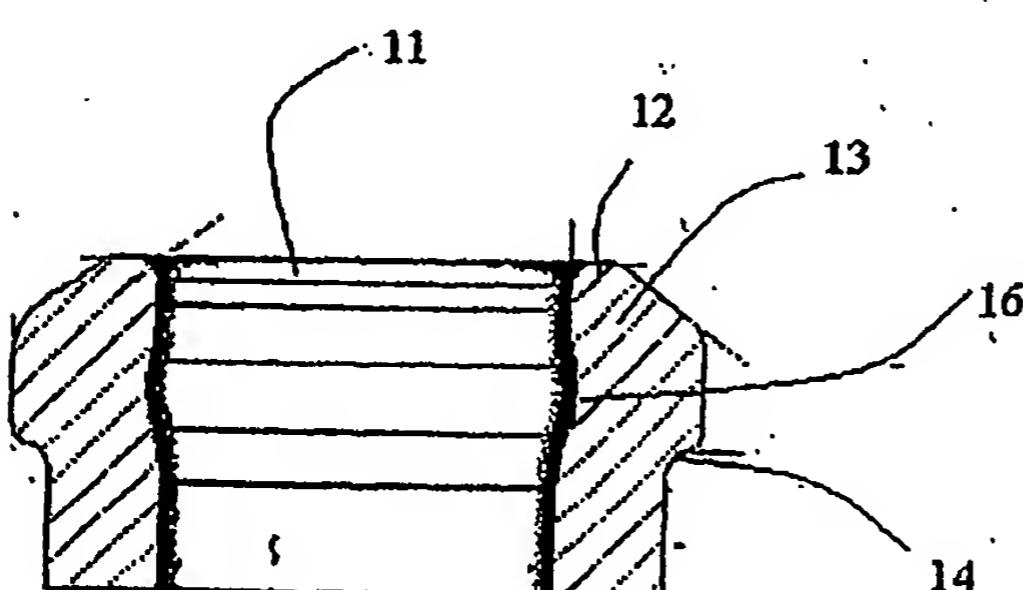


Fig. 2